Session Case No. 35/2021

Exhibit No. 15

DEPOSITION OF WITNESS No. 1 FOR THE PROSECUTION

I do hereby on solemn affirmation state that :-

Name	:-	**Laxmikant Sahebrao Rohokale**
Age	:-	64 Years.
Occupation	:-	Retired
R/o.	:-	Pipeline road, Ahilyanagar.

Examination-in-Chief by Shri.A.B. Chaudhari, Ld.A.P.P. for State :

On 02.08.2018, I was attached to Kedgaon Circle under the control of Tahsil office, Ahmednagar as a Circle Officer. The Tahsildar appointed the Squad for catching the illegal mining of sand. In that Squad, Circle Officers namely Dipak Karkhile, Rizwan Shaikh and Rajendra Raut were with me. Tahsildar informed Circle Officer Dipak Karkhile and informed him that the Circle Officer Rizwan Shaikh informed me that in the Nimbodi area at Gat no.418, there was illegal mining of sand. We all went at the spot of incident by private vehicle Swift owned by Circle Officer Rajednra Raut. We saw that one white colour Dumper and after seeing us, the Dumper ran away from the spot. After search, we found one JCB. After seeing us, the JCB also ran away from the spot. We also tried to apprehend the driver of JCB. The driver scuffled us and ran away from the spot. After search, the name of the JCB driver from the adjacent to said area, we came to know the name of JCB driver is Dattatraya @ Devra Dilip Bhalsing. Thereafter, we all Circle Officers filed report to the Tahsil office jointly. Now the report dated 03.08.2018 is shown to me. It is the xerox copy. The defence advocate has not given any objection to exhibit the said document, hence, the identification of

the document, it is marked as **Article-A**. Now the said report is shown to me. It is the same. It bears my signature at Sr.no.2. The contents are true and correct. Now the letter dated 04.08.2018 is shown to me. The Tahsildar directed me to lodge complaint against the accused. The letter is the xerox copy. The defence advocate has not given any objection to exhibit the said document, hence, the identification of the document, it is marked as **Article-B**. Now the said letter is shown to me. It is the same. It bears signature of Tahsildar. The contents are true and correct. Thereafter, I lodged complaint against the accused at Bhingar Camp police station. Now the complaint is shown to me. It is the same. It bears my signature. The contents are true and correct. It is marked as **Exh.16**. I handed over my I-card to the Investigating Officer. I cannot identify the accused if shown to me. The incident took place in the darkness, therefore, I cannot identify the accused. The incident took place before 07 years ago.

Cross-examination by Ld.Adv. Shri. M.B. Taule for accused :

2. It is true to say that the driver of JCB was unknown to me. It is true to say that at that time, there was darkness, therefore, I cannot identify the accused properly. Witness volunteers that the accused ran away from the spot, therefore, I cannot identify him. It is true to say that the Investigating Officer has not conducted the identification parade of the accused in my presence. It is true to say that in Nimbodi area from my service till 2018, I was not worked as a Circle Officer, therefore, I don't know the survey number and Gat number of that area. It is not true to say that whatever I deposed in my examination-in-chief is false. It is not true to say that I am

deposing falsely.

Cross-examination completed and no re-examination.

R.O.A.C.

Date : 30.01.2026.
Ahmednagar.

(Rajesh M. Tayade)
Additional Sessions Judge,
Ahmednagar.